

**HOUSE JOURNAL
66TH LEGISLATURE
SIXTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
March 28, 2019

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Dunn. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Karjala, Mortensen, and Runningwolf, excused. Quorum present.

BILLS (Ricci, Chair):

3/28/2019

Correctly printed: **HB 4, HB 52, HB 130, HB 293, HB 411, HB 500, HB 515, HB 566, HB 613, HB 616, HB 640, HB 643, HB 644, HB 654, HB 661, HB 680, HB 681, HB 715, HB 719, HB 720, HB 724, HB 732, HB 745, HB 747, HB 748, HB 751, HB 754, HB 756, HB 757, HB 757, HB 776, HJR 16, HJR 38, HR 3, SB 101, SB 115, SB 124, SB 130, SB 148, SB 150, SB 191, SB 275, SB 288.**

Correctly engrossed: **HB 405, HB 532, HB 658, HB 694, HB 696, HB 710, HB 717, HB 722, HB 725, HB 726, HB 735, HB 741, HB 749, HB 753, HB 763, HB 773, HJR 38, SB 116, SB 134, SB 268.**

Correctly enrolled: **HB 132.**

Examined by the sponsor and found to be correct: **HB 24, HB 190, HB 212, HB 297, HB 624.**

Transmitted to the Senate: **HB 111, HB 144, HB 280, HB 385, HB 400, HB 431, HB 475, HB 477, HB 597, HB 630, HB 636, HB 645, HB 712, HB 713, HB 714, HB 716.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Glimm, Chair):

3/27/2019

HB 293, do pass. Report adopted.

HB 411, do pass. Report adopted.

HB 500, do pass. Report adopted.

HB 643, do pass. Report adopted.

HB 696, introduced bill, be amended as follows:

1. Page 1, line 10.

Strike: "general fund"

Insert: "state special revenue account established in 17-6-603"

And, as amended, do pass. Report adopted.

HB 773, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 8.

Strike: "GENERALLY" on line 6 through "OFFICE;" on line 8

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

2. Title, page 1, line 10 through line 11.

Strike: "REQUIRING" on line 10 through "RATES;" on line 11

3. Title, page 1, line 11.

Strike: "SUPERSEDING UNFUNDED MANDATE LAWS;"

4. Title, page 1, line 12.

Strike: "AMENDING SECTIONS 15-1-121 AND 47-1-125, MCA;"

5. Page 2, line 18.

Strike: "and" through "act]"

6. Page 3, line 4 through page 11, line 10.

Strike: section 3 through section 4 in their entirety

Renumber: subsequent sections

7. Page 11, line 16 through line 17.

Strike: section 6 in its entirety

Renumber: subsequent sections

8. Page 11, line 24.

Strike: "[Section 5]"

Insert: "[Section 3]"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Glimm, Chair):

3/28/2019

HB 405, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "AUTHORITY;"

Insert: "TRANSFERRING FUNDS;"

2. Title, page 1, line 9.

Strike: "AMENDING SECTION 39-51-409, MCA;"

Strike: "AN EFFECTIVE DATE"

Insert: "EFFECTIVE DATES"

3. Page 5, line 27 through page 6, line 23.

Strike: section 6 in its entirety

Insert: "NEW SECTION. **Section 6. Transfer of funds.** By June 30, 2019, the state treasurer shall transfer \$500,000 from the account established in 30-14-143 to a state special revenue account to the credit of the department of labor and industry to administer the provisions of [this act]."

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

4. Page 6, line 25 through line 26.

Strike: "\$1 million" on line 25

Insert: "\$500,000"

Strike: "employment" on line 25 through "39-51-409" on line 26

Insert: "department of labor and industry state special revenue account referred to in [section 6]"

5. Page 7, line 11.

Strike: section 10 in its entirety

Insert: "NEW SECTION. Section 10. Effective dates. (1) Except as provided in subsection (2), [this act] is effective July 1, 2019.

(2) [Section 6] and this section are effective June 1, 2019. "

And, as amended, do pass. Report adopted.

HB 566, do pass. Report adopted.

HB 640, do pass. Report adopted.

HB 654, do pass. Report adopted.

BUSINESS AND LABOR (Noland, Chair):

3/27/2019

HB 694, introduced bill, be amended as follows:

1. Page 2, line 6.

Following: "(b)"

Insert: "(i)"

Following: "fee"

Insert: ":"

(A) for an out-of-state salesperson or investment adviser representative"

2. Page 2, line 7.

Following: "transfer"

Insert: "; and"

(B) for an in-state salesperson or investment adviser representative is \$50 for original registration with each employer, \$50 for each annual renewal, and \$50 for each transfer

Following: "."

Insert: "(ii)"

3. Page 2, line 9.

Strike: "\$100"

Following: "fee"

Insert: "in subsection (2)(b)(i)(A) or (2)(b)(i)(B)"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

HB 710, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

2. Page 2, line 30.

Strike: "department"

Insert: "state auditor"

3. Page 3, line 8.

Strike: "department"

Insert: "state auditor"

4. Page 3, line 9.

Strike: "department"

Insert: "state auditor"

5. Page 4, line 15.

Strike: the first and second "department"

Insert: "state auditor" in both places

6. Page 4, line 29.

Strike: "department"

Insert: "state auditor"

7. Page 4, line 30.

Strike: "department"

Insert: "state auditor"

8. Page 5, line 13.

Strike: "department"

Insert: "state auditor"

9. Page 5, line 14.

Strike: "department"

Insert: "state auditor"

10. Page 5, line 16.

Strike: "department"

Insert: "state auditor"

11. Page 5, line 18.

Strike: "department"

Insert: "state auditor"

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

12. Page 5, line 20.

Strike: "department"

Insert: "state auditor"

13. Page 5, line 23.

Strike: "department"

Insert: "state auditor"

14. Page 5, line 28.

Strike: "department"

Insert: "state auditor"

15. Page 6, line 6.

Strike: "department"

Insert: "state auditor"

16. Page 6, line 7.

Strike: "department"

Insert: "state auditor"

17. Page 6, line 21.

Strike: "department"

Insert: "state auditor"

18. Page 6, line 22.

Strike: "department"

Insert: "state auditor"

Strike: "department's"

Insert: "state auditor's"

19. Page 6, line 27.

Strike: "department"

Insert: "state auditor"

20. Page 6, line 28.

Strike: "department"

Insert: "state auditor"

21. Page 7, line 3.

Strike: "department"

Insert: "state auditor"

22. Page 7, line 6.

Strike: "department"

Insert: "state auditor"

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

23. Page 7, line 8.

Strike: "department"

Insert: "state auditor"

24. Page 7, line 12.

Strike: "department"

Insert: "state auditor"

25. Page 7, line 13.

Strike: "department's"

Insert: "state auditor's"

26. Page 7, line 14.

Strike: the first and second "department"

Insert: "state auditor" in both places

27. Page 7, line 17.

Strike: "department"

Insert: "state auditor"

28. Page 7, line 25.

Strike: the first "chapter 14,"

Strike: the second ", chapter 14,"

And, as amended, do pass. Report adopted.

HB 720, do pass. Report adopted.

HB 725, introduced bill, be amended as follows:

1. Page 1, line 17.

Strike: "The"

Insert: "As it pertains to the state lottery, the"

2. Page 9, line 18.

Following: "sports wagering license"

Insert: "and licensed under Title 23, chapter 5, as a gambling operator"

3. Page 16, line 10.

Following: "purchased on credit."

Insert: "The use of a debit card is limited to the daily withdrawal amount of the issuing debit card lending institution."

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

HB 747, do pass. Report adopted.

HB 751, do pass. Report adopted.

HB 757, do pass. Report adopted.

EDUCATION (Berglee, Chair):

3/27/2019

HB 754, do pass. Report adopted.

HB 774, do pass. Report adopted.

ENERGY, TECHNOLOGY AND FEDERAL RELATIONS (Zolnikov, Chair):

3/27/2019

HJR 16, do pass. Report adopted.

HJR 38, do pass. Report adopted.

SB 191, be concurred in. Report adopted.

HUMAN SERVICES (Lenz, Chair):

3/26/2019

HB 658, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "AND HEALTH" through "ASSESSMENT"

2. Title, page 1, line 9 through line 10.

Strike: "ESTABLISHING" on line 9 through "TREATMENT;" on line 10

3. Page 1, line 27.

Strike: "59"

Insert: "55"

4. Page 1, line 30.

Strike: "as evidenced through reportable wages"

5. Page 2, line 1 through line 7.

Strike: line 1 through line 7

Insert: "(b) work readiness or workforce training activities;

(c) secondary, postsecondary, or vocational education;

(d) substance abuse education or substance use disorder treatment;

(e) other work or community engagement activities that promote work or work readiness or advance the health purpose of the medicaid program;"

Renumber: subsequent subsections

6. Page 2, line 8.

Strike: "that is approved by the department"

Insert: "; or

(g) any other activity required by the centers for medicare and medicaid services for the purpose of obtaining necessary waivers under this part"

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

7. Page 2, line 9.

Strike: "the participant attests that"

8. Page 2, line 12 through 25.

Strike: line 12 through line 25

Insert: "(b) blind or disabled;

(c) pregnant;

(d) experiencing an acute medical condition requiring immediate medical treatment;

(e) mentally or physically unable to work;

(f) a primary caregiver for a person who is unable to provide self-care;

(g) a foster parent;

(h) a full-time student in a secondary school;

(i) a student enrolled in the equivalent of at least six credits in a postsecondary or vocational institution;

(j) participating in or exempt from the work requirements of the temporary assistance for needy families program or the supplemental nutrition assistance program;

(k) under supervision of the department of corrections, a county jail, or another entity as directed by a court, the department of corrections, or the board of pardons and parole;

(l) experiencing chronic homelessness;

(m) a victim of domestic violence as defined by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. 601, et seq.;

(n) living in an area with a high-poverty designation;"

Renumber: subsequent subsection

9. Page 2, line 26.

Following: "15-30-2660(3)"

Insert: "; or

(p) otherwise exempt under federal law"

10. Page 2, line 27 through line 30.

Following: "the department" on line 27

Strike: "is able" on line 27 through "basis" on line 30

Insert: "determines that the participant's income exceeds an amount equal to the average of 80 hours per month multiplied by the minimum wage"

11. Page 3, line 1.

Strike: "month"

Insert: "reporting period"

12. Page 3, line 2.

Strike: "attests that the participant"

13. Page 3, line 3.

Following: "hospitalized;"

Strike: "or"

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

14. Page 3, line 5.

Following: "incapacity"

Insert: "; or

(c) is impacted by a catastrophic event or hardship as defined by the department by rule that prevents the participant from complying with the community engagement requirements of this section"

15. Page 3, line 6 through line 10.

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

16. Page 3, line 11.

Strike: "(a)"

Strike: "certify"

Insert: "determine"

Following: "available"

Insert: "administrative"

Strike: "systems"

17. Page 3, line 14 through line 16.

Strike: subsection (b) in its entirety

18. Page 3, line 18 through line 19.

Strike: "self-reporting of compliance -- disenrollment"

Insert: "reporting -- suspension -- audit"

19. Page 3, line 19 through page 28.

Strike: subsection (1) in its entirety

Insert: "(1) The department shall adopt rules establishing:

(a) requirements for reporting community engagement requirements;

(b) requirements for obtaining an exemption from the community engagement requirements as allowed under [section 1]; and

(c) a program to audit information provided by program participants to the department to ensure compliance with the requirements of [section 1]."

20. Page 4, line 1.

Strike: "90"

Insert: "180"

21. Page 4, line 2.

Strike: "90-day"

Insert: "180-day"

Strike: "disenrollment"

Insert: "suspension"

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

22. Page 4, line 3.

Following: "attests"

Insert: "and the department confirms"

23. Page 4, line 5.

Strike: "disenrolled"

Insert: "suspended"

Strike: "apply to reenroll"

Insert: "be reinstated"

24. Page 4, line 6.

Strike: "disenrollment."

Insert: "suspension or upon a determination by the department that the program participant:

(a) is exempt from the community engagement requirements; or

(b) has been in compliance with the requirements for 30 days. A participant reinstated pursuant to this subsection (3)(b) must remain under heightened monitoring by the department during the remainder of the suspension period."

25. Page 4, line 7 through line 11.

Strike: subsection (4) through subsection (5) in their entirety

Insert: "(4) (a) If suspensions for noncompliance with community engagement requirements reach a level exceeding 5% of program participants, the department shall notify the legislative finance committee. The legislative finance committee shall select an independent third-party auditor to conduct a statistically relevant audit of the participants who were subject to suspension.

(b) (i) The audit must be completed within 90 days and the report made available to the legislative finance committee.

(ii) If the audit is not completed within 90 days, the department shall immediately cease suspensions until the audit is complete and the legislative finance committee has received the audit report.

(c) If the audit finds that more than 10% of the participants in the audit sample were suspended erroneously, the department shall cease further suspensions until the conclusion of the next general legislative session.

(d) If the audit finds that 10% or fewer of the participants in the audit sample were suspended erroneously, the department shall continue to suspend the enrollment of program participants who fail to meet the community engagement requirements."

26. Page 4, line 13 through page 6, line 3.

Strike: section 3 through section 4 in their entirety

Insert: "NEW SECTION. Section 3. Health risk analysis. (1) Within 1 year of a program participant's enrollment in the program, the department shall use available claims data and other information collected directly from the participant to assess whether the participant would be better served in a coordinated care or other treatment model approved by the department.

(2) Coordinated care models may include but are not limited to a:

(a) medicaid health home;

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

- (b) patient-centered or advanced primary care medical home;
 - (c) substance use disorder or mental health treatment or other treatment or prevention programs;
 - (d) care coordination program;
 - (e) tribal health improvement program; or
 - (f) primary care case management arrangement.
- (3) The department is not required to complete a separate analysis for a participant who:
- (a) is already being served through a coordinated care model listed in subsection (2); or
 - (b) has received primary care or preventative care services within the last 12 months."

Renumber: subsequent sections

27. Page 6, line 7.

Strike: "10"

Insert: "30"

28. Page 6, line 13 through line 19.

Strike: subsection (3) through subsection (4) in their entirety

29. Page 6, line 27.

Strike: "8"

Insert: "6"

30. Page 7, line 2.

Strike: "9"

Insert: "7"

31. Page 7, line 6 through line 24.

Strike: section 7 in its entirety

Renumber: subsequent sections

32. Page 7, line 28.

Following: "premium income"

Insert: "during the preceding calendar year"

33. Page 8, line 8.

Strike: "6"

Insert: "5"

34. Page 8, line 9 through line 10.

Strike: "with" on line 9 through "premiums" on line 10

Insert: "if the corporation"

Following: "received"

Insert: "premiums during the preceding calendar year"

Following: "while"

Insert: "doing business as"

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

35. Page 9, line 6.

Following: "~~property~~"

Insert: "equity in"

36. Page 9, line 7.

Strike: "valued above"

Insert: "that exceeds"

Following: "70-32-104"

Insert: "by \$5,000 or more"

37. Page 9, line 8.

Strike: ", and the" through "have a"

Insert: "when the "

38. Page 9, line 9.

Strike: "of"

Insert: "totals"

Following: "\$20,000"

Insert: "or more and the participant's equity in the vehicles exceeds that combined depreciated value by \$5,000 or more"

39. Page 9, line 12.

Following: "(1)(a)"

Strike: "(ii),"

Insert: ":

(i) "real property or improvements to real property" does not include property held in trust by the United States for the benefit of a Montana federally recognized Indian tribe; and

(ii)"

40. Page 9, line 15.

Following: "~~(1)(b)~~"

Insert: "equity"

Strike: "limit"

Insert: "limits"

41. Page 9, line 16 through line 17.

Strike: "for homesteads" on line 16 through "homesteads;" on line 17

Insert: "in subsections (1)(a)(i) and (1)(a)(ii); and"

42. Page 9, line 18 through line 19.

Strike: subsection (b) in its entirety

Renumber: subsequent subsection

43. Page 9, line 20 through page 21.

Strike: "of any" on line 20

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Insert: "in"

Strike: "the taxpayer" on line 20 through "(1)(a)(iii)" on line 21

Insert: "above \$1,500"

44. Page 10, line 18.

Strike: "6"

Insert: "5"

45. Page 11, line 2

Following: "does not include"

Insert: ":

(A)"

46. Page 11, line 3.

Following: "15-6-133(1)(c)"

Strike: "or"

Insert: ";

(B)"

Following: "property"

Insert: ";

or
(C) land held in trust by the United States for the benefit of a Montana federally recognized Indian tribe"

47. Page 11, line 12 through line 13.

Strike: "government" on line 12 through "state" on line 13

Insert: "hospital or facility operated by the state, a political subdivision of the state, the United States, or an Indian tribe or any facility authorized under the Indian Health Care Improvement Act"

48. Page 12, line 15.

Strike: "6"

Insert: "5"

49. Page 21, line 5.

Strike: "6"

Insert: "5"

50. Page 21, line 20.

Strike: "8"

Insert: "6"

51. Page 22.

Following: line 29

Insert: "(2) The department shall contact each program participant subject to the community engagement requirements of [section 1] and assist the participant with completion of an

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

employment or reemployment assessment. Based on the results of the assessment, the department shall identify services to help the individual address barriers to employment."

Renumber: subsequent subsections

52. Page 23, line 4.

Strike: "(2)(a)"

Insert: "(3)(a)"

53. Page 23, line 10.

Strike: "9"

Insert: "7"

54. Page 29, line 9.

Insert: "(13) Nothing in subsection (1) may be construed as allowing the department to deny enrollment for a reason that is impermissible under federal law or regulation."

55. Page 30, line 1.

Strike: "6"

Insert: "5"

56. Page 30, line 14.

Strike: "self-attestation of program participants claiming"

Insert: "information provided by a program participant to claim"

57. Page 30, line 15.

Strike: "and to the self-reporting of"

Insert: "or to report"

58. Page 30, line 16.

Strike: "requirements required"

Insert: "activities"

59. Page 34, line 5.

Following: "~~special revenue~~"

Insert: "-- exceptions"

Following: "~~(1)~~"

Insert: "(1)"

60. Page 34.

Following: line 7

Insert: "(2) The department may serve individuals who are eligible for medicaid-funded services pursuant to this part through the medical assistance program established in Title 53, chapter 6, part 1, if the individuals would be served more appropriately because the individuals:

(a) have exceptional health care needs, including but not limited to medical, mental health,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

or developmental conditions;

(b) live in a geographical area, including an Indian reservation, that would not be effectively or efficiently served through this part;

(c) need continuity of care that would not be available or cost-effective through this part;

(d) are exempt under the waiver implementing this part as of July 1, 2019; or

(e) are otherwise exempt under federal law."

61. Page 35, line 5 through line 12.

Strike: ", because" on line 5 through "federal law" on line 12

62. Page 36, line 27.

Strike: "The"

Insert: "Except as provided in subsection (1)(b), the"

63. Page 37, line 1.

Strike: "5%"

Insert: "4%"

64. Page 37.

Following: line 1

Insert: "(b) A program participant who is exempt from the community engagement requirements as allowed under [section 1] is exempt from the premium increases in subsection (1)(a)(ii)."

Renumber: subsequent subsections

65. Page 37, line 3.

Strike: "6"

Insert: "5"

66. Page 41, line 25.

Strike: "December 31, 2019"

Insert: "January 1, 2020"

67. Page 41, line 27.

Strike: "December 31, 2019"

Insert: "January 1, 2020"

68. Page 42, line 6.

Strike: "6"

Insert: "5"

69. Page 42, line 7.

Strike: "[section 9]"

Insert: "[section 7] and the workforce development program activities provided for in 39-12-103"

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

70. Page 42, line 25.

Strike: "6"

Insert: "5"

71. Page 44, line 3.

Strike: "6"

Insert: "5"

72. Page 44, line 5.

Strike: "6"

Insert: "5"

73. Page 44, line 6 through line 7.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

74. Page 44, line 8.

Strike: "8"

Insert: "6"

75. Page 44, line 9.

Strike: "8"

Insert: "6"

76. Page 44, line 10.

Strike: "9"

Insert: "7"

77. Page 44, line 11.

Strike: "9"

Insert: "7"

78. Page 44, line 13 through line 15.

Strike: section 48 in its entirety

Insert: "NEW SECTION. Section 46. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

79. Page 44, line 17 through line 19.

Strike: "(1) If" on line 17 through "void" on line 19

Renumber: subsequent subsections

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

80. Page 44, line 21.

Strike: "38(1)" in both places

Insert: "36(1)" in both places

81. Page 44, line 27.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

82. Page 44, line 28.

Strike: "5"

Insert: "4"

Strike: "33," through "43"

Insert: "31, 32, 35, 36, 37, and 41"

83. Page 44, line 29.

Strike: "40" through "this section"

Insert: "38 through 40 and 43 through 50]"

84. Page 45, line 4 through line 8.

Strike: "and health" on line 4 through "(2)" on line 8

Insert: "shall"

Strike: "90"

Insert: "180"

85. Page 45, line 10.

Insert: "NEW SECTION. Section 50. Termination -- contingency -- intent. (1) If a court of final disposition finds that the community engagement requirements provided for in [section 1] are invalid, [this act] terminates June 30, 2025.

(2) It is the intent of the legislature that if the contingency provided for in subsection (1) occurs, the legislature has an opportunity to consider issues of program integrity, reform, and cost-effectiveness to determine whether [this act] should continue."

And, as amended, do pass. Report adopted.

HB 680, do pass. Report adopted.

HB 681, do pass. Report adopted.

HB 724, do pass. Report adopted.

HB 726, introduced bill, be amended as follows:

1. Page 3, line 8.

Strike: "100,000"

Insert: "\$5,000"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

HB 753, introduced bill, be amended as follows:

1. Page 2, line 1 through line 4.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

2. Page 2, line 9.

Strike: "(4)"

Insert: "(3)"

3. Page 3, line 10.

Strike: "department of public health and human services"

Insert: "department of justice"

And, as amended, do pass. Report adopted.

JOINT SELECT COMMITTEE ON SETTLEMENT ACCOUNTABILITY (Mercer, Vice Chair):
3/27/2019

HB 532, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "FOR THE"

Strike: remainder of line 5

2. Title, page 1, line 8 through line 9.

Strike: "REQUIRING" on line 8 through "VIOLATIONS;" on line 9

3. Page 1, line 12.

Following: line 12

Insert: "WHEREAS, there is a strong public policy supporting the public's right to know the precise reason for the expenditure of public money to settle claims against the government, as discussed in *Citizens to Recall Whitlock v. Whitlock*, 255 Mont. 517, 524, 844 P.2d 74, 78 (1992); and

WHEREAS, the concept of accountability of government includes accountability of how taxpayer dollars are spent; and

WHEREAS, anything that prohibits disclosure of how taxpayer dollars are spent inhibits the public's right to know under Article II, section 9, of the Montana Constitution and will rarely be precluded by the right to privacy contained in Article II, section 10, of the Montana Constitution; and

WHEREAS, the legislature's intent is to create sunshine and transparency when public money is used to settle claims based on the acts or omissions of state employees and state actors."

4. Page 1, line 16 through page 6, line 15.

Strike: everything after the enacting clause

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Insert: "NEW SECTION. Section 1. Short title. [Sections 1 through 3] may be cited as the "Sunshine and Transparency Act for the State's Settlement of Claims"."

Insert: "NEW SECTION. Section 2. Requirements for compromise and settlement of claims against state. (1) The department of administration shall create, monitor, maintain, and update, on an ongoing basis, a website that is available to the public and publishes the following information:

 (a) the date of each compromise or settlement of a claim against the state that results in a monetary settlement;

 (b) the identity of the entity of the state where the claim originated;

 (c) the dollar amount of the compromise or settlement.

 (2) All information regarding the compromise or settlement of a claim involving a minor is exempted from disclosure.

 (3) The information identified in subsection (1) must be published within 30 days of the date the compromise or settlement occurred.

 (4) Nondisclosure agreements are prohibited in compromise or settlement agreements when the state is a party.

 (5) Whenever the state pays any public money in the compromise or settlement of a claim and in employment-related claims, including but not limited to employment discrimination and sexual harassment and claims that arise from alleged acts regardless of whether the alleged acts occurred within or outside of an employee's scope of employment, the claim must be consistently coded in the statewide accounting, budgeting, and human resource system so that whenever the state authorizes the compromise or settlement of a claim, the money expended to compromise or settle claims is consistently reflected and coded under the same code to ensure that whenever the particular code is reviewed it will contain a complete list of all compromise and settlement of claims when the state is a party.

 (6)(a) A state employee who violates [section 2 or 3] is subject to a civil penalty of not more than \$500.

 (b) The state employee or employees responsible for each violation are also subject to potential discipline."

Insert: "NEW SECTION. Section 3. Quarterly report on demands to resolve claims. Each agency and administratively attached entity shall submit a quarterly report to the legislative fiscal division capturing:

 (1) all initial demands to resolve claims, including demands made to any state agency or department;

 (2) the identity of the entity of the state that employed the employee who committed one or more acts leading to the claim, regardless of where the demand for compromise or settlement originated;

 (3) all civil and administrative complaints filed and the identity of the court or entity of the state where the complaint is filed; and

 (4) all requests for settlement negotiations and the amount requested to resolve the claim."

Insert: "Section 4. Section 2-9-101, MCA, is amended to read:

"2-9-101. Definitions. As used in parts 1 through 3 of this chapter and [sections 1 through 3], the following definitions apply:

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

(1) (a) "Claim" means any claim against a governmental entity, for money damages only, that any person is legally entitled to recover as damages because of personal injury or property damage caused by a negligent or wrongful act or omission committed by any employee of the governmental entity while acting within the scope of employment, under circumstances where the governmental entity, if a private person, would be liable to the claimant for the damages under the laws of the state. For purposes of this section and the limit of liability contained in 2-9-108, all claims that arise or derive from personal injury to or death of a single person, or damage to property of a person, regardless of the number of persons or entities claiming damages, are considered one claim.

(b) Employment-related claims, including but not limited to employment discrimination and sexual harassment, and other claims against the state that may not be tort claims are included in this definition.

(c) Claims against a government entity that arise from alleged acts that occurred within or outside of an employee's scope of employment are included in this definition.

(2) (a) "Employee" means an officer, employee, or servant of a governmental entity, including elected or appointed officials, and persons acting on behalf of the governmental entity in any official capacity temporarily or permanently in the service of the governmental entity whether with or without compensation.

(b) The term does not mean a person or other legal entity while acting in the capacity of an independent contractor under contract to the governmental entity to which parts 1 through 3 apply in the event of a claim.

(3) "Governmental entity" means the state and political subdivisions.

(4) "Personal injury" means any injury resulting from libel, slander, malicious prosecution, or false arrest and any bodily injury, sickness, disease, or death sustained by any person and caused by an occurrence for which the state may be held liable.

(5) "Political subdivision" means any county, city, municipal corporation, school district, special improvement or taxing district, other political subdivision or public corporation, or any entity created by agreement between two or more political subdivisions.

(6) "Property damage" means injury or destruction to tangible property, including loss of use of the property, caused by an occurrence for which the state may be held liable.

(7) "State" means the state of Montana or any office, department, agency, authority, commission, board, institution, hospital, college, university, or other instrumentality of the state."

Insert: "Section 5. Section 2-9-301, MCA, is amended to read:

"2-9-301. Filing of claims against state and political subdivisions -- disposition by state agency as prerequisite. (1) All claims against the state of any type, including employment claims and all other claims of employees against the state, and claims arising under the provisions of parts 1 through 3 of this chapter must be presented in writing to the department of administration.

(2) A complaint based on a claim ~~subject to the provisions of subsection (1)~~ may not be filed in district court unless the claimant has first presented the claim to the department of administration and the department has finally denied the claim. The department ~~must~~ shall grant or deny the claim in writing within 120 days after the claim is presented to the department. The failure of the department to make final disposition of a claim within 120 days after it is presented to the department must be considered a final denial of the claim for purposes of this subsection. Upon the department's receipt of the claim, the statute of limitations on the claim is tolled for 120

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

days. The provisions of this subsection do not apply to claims that may be asserted under Title 25, chapter 20, by third-party complaint, cross-claim, or counterclaim unless the alleged responsible party or the defendant is the state.

(3) All claims against a political subdivision arising under the provisions of parts 1 through 3 ~~shall~~ must be presented to and filed with the clerk or secretary of the political subdivision.""

Insert: "Section 6. Section 2-9-303, MCA, is amended to read:

"2-9-303. Compromise or settlement of claim against state. (1) (a) The department of administration may compromise and settle any claim allowed by parts 1 through 3 of this chapter, subject to the terms of insurance, if any. A settlement from the self-insurance reserve fund or deductible reserve fund exceeding \$10,000 must be approved by the district court of the first judicial district except when suit has been filed in another judicial district, in which case the presiding judge shall approve the compromise settlement.

(b) All records related to a compromise or settlement of a claim against the state must be retained for a period of 20 years.

(2) (a) All terms, conditions, and details of the governmental portion of a compromise or settlement agreement entered into or approved pursuant to subsection (1) are public records available for public inspection unless a right of individual privacy clearly exceeds the merits of public disclosure.

(b) The compromise or settlement agreement must include a description of the alleged acts or omissions forming the basis of the compromise or settlement agreement.

(3) An employee who is a party to a compromise or settlement entered into or approved pursuant to subsection (1) may waive the right of individual privacy and allow the state to release all records or details of the compromise or settlement, such as personnel records, that pertain to the employee personally and that would otherwise be protected by the right of individual privacy subject to the merits of public disclosure.""

Insert: "NEW SECTION. Section 7. Codification instruction. [Sections 1 through 3] are intended to be codified as an integral part of Title 2, chapter 9, and the provisions of Title 2, chapter 9, apply to [sections 1 through 3]."

Insert: "NEW SECTION. Section 8. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Insert: "NEW SECTION. Section 8. Effective date. [This act] is effective July 1, 2019."

Insert: "NEW SECTION. Section 9. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to any records related to a compromise or settlement that exist or are created from [the effective date of this act] retroactively 10 years to the same date in 2009 as [the effective date of this act]."

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

JUDICIARY (Doane, Chair):

3/27/2019

HB 741, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "A BOOKING PHOTOGRAPH"

Insert: "CERTAIN BOOKING PHOTOGRAPHS"

2. Page 4, line 25.

Following: "(2)"

Insert: "(a)"

3. Page 4, line 29.

Following: "information."

Insert: "(b)(i)"

4. Page 4, line 30.

Following: "photograph"

Insert: "prior to the termination of criminal proceedings against the individual depicted in the photograph"

Strike: "an emergency"

Insert: "extenuating circumstances"

5. Page 4.

Following: line 30

Insert: "(ii) If an individual is convicted of an offense related to the arrest for which the booking photograph was taken, the criminal justice agency may not charge a clerking fee for the release of the booking photograph."

And, as amended, do pass. Report adopted.

HB 745, do pass. Report adopted.

HB 749, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "AND INSPECTIONS OF"

2. Page 1, line 10 through line 17.

Strike: "WHEREAS," on line 10 through "violations." on line 17

3. Page 1, line 21 through line 22.

Strike: "-- inspections --" on line 21 through "injunctions" on line 23

4. Page 1, line 22 through line 23.

Strike: ":" on line 22 through "(a)" on line 23

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

5. Page 1, line 24.

Following: "business"

Insert: "or make the license readily available"

6. Page 1, line 24 through line 29.

Strike: ";" on line 24 through "23" on line 29

7. Page 2, line 1.

Following: "enter"

Strike: "and inspect"

Following: "business"

Insert: "and request to see a massage therapist's license and proof of identification"

8. Page 2, line 2.

Strike: "inspection"

Insert: "request"

9. Page 2, line 4 through line 5.

Strike: subsection (c) in its entirety

10. Page 2, line 6 through line 9.

Strike: subsection (3) in its entirety

11. Page 2, line 15.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

12. Page 2, line 27.

Strike: "(5)(a)(i)"

Insert: "(4)(a)(i)"

13. Page 3, line 7 through line 10.

Strike: subsections (6) and (7) in their entirety

Renumber: subsequent subsections

14. Page 3, line 15.

Strike: "division"

Insert: "divisions"

15. Page 3, following line 29.

Insert: "NEW SECTION. **Section 4. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

And, as amended, do pass. Report adopted.

HB 763, introduced bill, be amended as follows:

1. Title, page 1, line 11.

Strike: "AN EFFECTIVE DATE"

Insert: "EFFECTIVE DATES"

2. Page 10, line 9.

Following: "\$150,000"

Strike: ", "

3. Page 10, line 22.

Strike: section 16 in its entirety

Insert: "NEW SECTION. Section 16. Effective dates. (1) Except as provided in subsection (2), [this act] is effective January 1, 2020.

(2) [Section 14] and this section are effective July 1, 2019."

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (White, Chair):

3/27/2019

HB 722, introduced bill, be amended as follows:

1. Title, line 6.

Following: "SECTIONS"

Insert: "82-4-338,"

2. Page 1, line 10.

Following: line 9

Insert: "Section 1. Section 82-4-338, MCA, is amended to read:

"82-4-338. Performance bond. (1) (a) An applicant for an exploration license or operating permit shall file with the department a bond payable to the state of Montana with surety satisfactory to the department in the sum to be determined by the department of not less than \$200 for each acre or fraction of an acre of the disturbed land, conditioned upon the faithful performance of the requirements of this part, the rules of the board, and the permit. In lieu of a bond, the applicant may file with the department a cash deposit, an assignment of a certificate of deposit, an irrevocable letter of credit, or other surety acceptable to the department. The bond may not be less than the estimated cost to the state to ensure compliance with Title 75, chapters 2 and 5, this part, the rules, and the permit, including the potential cost of department management, operation, and maintenance of the site upon temporary or permanent operator insolvency or abandonment, during a suspension authorized pursuant to 82-4-341(8)(b)(ii) or until full bond liquidation can be effected.

(b) A public or governmental agency may not be required to post a bond under the provisions of this part.

(c) A blanket performance bond covering two or more operations may be accepted by the department. A blanket bond must adequately secure the estimated total number of acres of

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

disturbed land.

(d) (i) For an exploration license or operating permit authorizing activities on federal land within the state, the department may accept a bond payable to the state of Montana and the federal agency administering the land. The bond must provide at least the same amount of financial guarantee as required by this part.

(ii) The bond must provide that the department may forfeit the bond without the concurrence of the federal land management agency. The bond may provide that the federal land management agency may forfeit the bond without the concurrence of the department. Upon forfeiture by either agency, the bond must be payable to the department and may also be payable to the federal land management agency. If the bond is payable to the department and the federal land management agency, the department, before accepting the bond, shall enter into an agreement or memorandum of understanding with the federal land management agency providing for administration of the bond funds in a manner that will allow the department to provide for compliance with the requirements of this part, the rules adopted under this part, and the permit.

(iii) The department may not enter into an agreement or memorandum of understanding with a federal land management agency that would require the department to impose requirements on an operator that are more stringent than state law and rules.

(2) (a) The department may calculate one or more reclamation plan components within its jurisdiction with the assistance of one or more third-party contractors selected jointly by the department and the applicant and compensated by the applicant when, based on relevant past experience, the department determines that additional expertise is necessary to calculate the bond amount for reclamation plan components. The department may contract for assistance pursuant to this subsection in determining bond amounts for the initial bond and for any subsequent bond review and adjustment. The mine owner is responsible for the first \$5,000 in contractor services provided under this subsection. The mine owner and the department are each responsible for 50% of any amount over \$5,000.

(b) To select a third-party contractor as authorized in subsection (2)(a), the department shall prepare a list of no fewer than four contractors acceptable to the department and shall provide the applicant with a copy of the list. The applicant shall provide the department with a list of at least 50% of the contractors from the department's list. The department shall select its contractor from the list provided by the applicant.

(3) (a) The department shall conduct an overview of the amount of each bond annually and shall conduct a comprehensive bond review at least every 5 years. The department may conduct additional comprehensive bond reviews if, after modification of a reclamation or operation plan, an annual overview, or an inspection of the permit area, the department determines that an increase of the bond level may be necessary. The department shall consult with the licensee or permittee if a review indicates that the bond level should be adjusted. When determined by the department that the set bonding level of a permit or license does not represent the present costs of compliance with this part, the rules, and the permit, the department shall modify the bonding requirements of that permit or license. The licensee or permittee must have 60 days to negotiate the preliminary bond determination with the department, at the end of which time period the department shall issue the proposed bond determination. The department shall give the licensee or permittee a copy of the bond calculations that form the basis for the proposed bond determination and, for operating permits, publish notice of the proposed bond determination in a newspaper of general circulation in the county in which the operation is located. The department shall issue a final bond determination in 30 days. Unless the licensee or permittee requests a hearing under subsection

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

(3)(b), the licensee or permittee shall post bond with the department in the amount represented by the final bond determination no later than 30 days after issuance of the final bond determination. If the licensee or permittee demonstrates that, through the exercise of reasonable diligence, the licensee or permittee will not be able to post the bond within 30 days, the department shall grant a 30-day extension of the deadline.

(b) The permittee or any person with an interest that may be adversely affected may obtain a contested case hearing before the board under the provisions of the Montana Administrative Procedure Act, Title 2, chapter 4, part 6, on the final bond determination by filing with the department, within 30 days of the issuance of the final bond determination, a written request for hearing stating the reason for the request. The request for hearing must specify the amount of bond increase, if any, that the licensee or permittee considers appropriate and state the reasons that the licensee or permittee considers the department's final bond determination to be excessive. As a condition precedent to any right to request a hearing, the licensee or permittee shall post bond with the department in the amount of the bond increase that the licensee or permittee has stated is appropriate in the request for hearing or the amount that is one-half of the increase contained in the department's final bond determination, whichever amount is greater. If the board determines that additional bond is necessary, the licensee or permittee shall post bond in the amount determined by the board within 30 days of receipt of the board's decision. If the licensee or permittee demonstrates that, through the exercise of reasonable diligence, the licensee or permittee will not be able to post the bond within 30 days, the department shall grant a reasonable extension of the deadline.

(c) If a licensee or permittee fails to post bond in accordance with subsection (3)(a) or (3)(b) in the required amounts by the required deadlines, the license or permit is suspended by operation of law and the licensee or permittee shall immediately cease mining and exploration operations until the required bond is posted with and approved by the department.

(4) A bond filed in accordance with the provisions of this part may not be released by the department until the provisions of this part, the rules adopted pursuant to this part, and the permit have been fulfilled.

(5) A bond filed for an operating permit obtained under 82-4-335 may not be released or decreased until the public has been provided an opportunity for a hearing and a hearing has been held if requested. The department shall provide reasonable statewide and local notice of the opportunity for a hearing, including but not limited to publishing the notice in newspapers of general daily circulation.

(6) Except as provided in subsection (7), all bonds required in accordance with the provisions of this section must be based upon reasonably foreseeable activities that the applicant may conduct in order to comply with conditions of an operating permit or license. Bonds may be required only for anticipated activities as described in subsection (1). Only those activities that themselves or in conjunction with other activities have a reasonable possibility of occurring may be bonded. Bond calculations, including calculations for the initial bond or for subsequent bond reviews and adjustments, may not include amounts for any occurrence or contingency that is not a reasonably foreseeable result of any activity conducted by the applicant.

(7) (a) If the department determines, based on unanticipated circumstances that are discovered following the issuance of a mining permit, that a substantial and imminent danger to public health, public safety, or the environment exists or that there is a reasonable probability that a violation of water quality standards will occur, the department may require an operator to submit an amended reclamation plan to address the danger and to post a temporary bond to guarantee

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

the performance of the amended portion of the reclamation plan. The temporary bond may only be required if the anticipated costs associated with the plan amendment would increase the total bond amount for the current plan by more than 10%, as determined in subsection (7)(b).

(b) (i) In determining the need for the temporary bond and the amount of the temporary bond under subsection (7)(a), the department shall select a third-party contractor in consultation with the operator pursuant to subsection (7)(b)(ii) to provide:

(A) a technical engineering analysis and report on the substantial and imminent danger to public health, public safety, or the environment identified in subsection (7)(a); and

(B) the estimated costs of addressing the potential danger in order to establish the amount of the temporary bond.

(ii) The department shall provide the operator with a list of at least four qualified third-party contractors. The operator shall select two qualified third-party contractors from that list. The department shall select its contractor from the list provided by the operator. The operator shall reimburse the department for the reasonable costs of the third-party contractor.

(c) An approved interim amended reclamation plan and interim bond must remain in effect until the earlier of:

(i) the date that a revised reclamation plan is approved pursuant to 82-4-337 and a permanent bond for the revised reclamation plan is submitted and accepted pursuant to this section; or

(ii) 2 years following the date of submission of a complete application pursuant to 82-4-337 to modify the reclamation plan provision or remedy the conditions that created the need to amend the reclamation plan unless the department approves or denies the complete application within 2 years of submission. The applicant may agree to an extension of this deadline.

(d) Except as provided in subsection (8), the process provided for in this subsection (7) is not subject to the provisions of Title 75, chapter 1.

(8) (a) In determining whether to require amendment of a reclamation plan under subsection (7)(a), the department shall prepare or require the permittee to prepare a written analysis of changes in the reclamation plan that may eliminate or mitigate to an acceptable level the environmental condition. The analysis must include an assessment of the effectiveness of the changes and any potential negative environmental impacts of the changes. The department shall prepare an environmental impact statement pursuant to Title 75, chapter 1, only if the department determines that the changes would not mitigate the condition to an acceptable level or may have potentially significant negative environmental impacts.

(b) If the department determines that preparation of an environmental impact statement is necessary, the permittee shall pay the department's costs pursuant to 75-1-205.

(9) At the applicant's discretion, bonding in addition to that required by this section may be posted. These unobligated bonds may, on the applicant's request, be applied to future bonds required by this section.

(10) (a) If the department determines that there exists at an area permitted or licensed under this part an imminent danger to public health, public safety, or the environment caused by a violation of this part, the rules adopted pursuant to this part, or the permit or license and if the permittee or licensee fails or refuses to expeditiously abate the danger, the department may immediately suspend the permit or license, enter the site, and abate the danger. The department may thereafter institute proceedings to revoke the license or permit, declare the permittee or licensee in default, and forfeit a portion of the bond, not to exceed \$150,000 or 10% of the bond, whichever is less, to be used to abate the danger. The department shall notify the surety of the

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

forfeiture and the forfeiture amount by certified mail, and the surety shall pay the forfeiture amount to the department within 30 days of receipt of the notice. The department shall, as a condition of any termination of the suspension and revocation proceedings, require that the permittee or licensee reimburse the surety, with interest, for any amount paid to and expended by the department pursuant to this subsection (10) and for the actual cost of the surety's expenses in responding to the department's forfeiture demand.

(b) If the department is unable to permanently abate the imminent danger using the amount forfeited under subsection (10)(a), the department may forfeit additional amounts under the procedure provided in subsection (10)(a).

(c) The department shall return to the surety any money received from the surety pursuant to this subsection (10) and not used by the department to abate the imminent danger. The amount not returned to the surety must be credited to the surety and reduces the penal amount of the bond on a dollar-for-dollar basis.

(d) Any interest accrued on bond proceeds that is not required to abate the imminent danger determined in subsection (10)(a) must be returned to the surety, unless otherwise agreed to in writing by the surety.

(11) If a bond is terminated as a result of the action or inaction of a licensee or permittee or is canceled or otherwise terminated by the surety issuing the bond and the licensee or permittee fails to post a new bond for the entire amount of the terminated bond within 30 days following the notice of termination provided to the department, then the license or permit must be immediately suspended without further action by the department."

Renumber: subsequent sections

3. Page 1, line 18.

Strike: "the bond" through "suspended"

Insert: "the department holds a suspended permit"

4. Page 3, line 10.

Strike: "suspend"

Insert: "hold"

Following: "permit"

Insert: "suspended pursuant to 82-4-338"

5. Page 3, line 11.

Following: "from a"

Insert: "cash"

6. Page 3, line 11 through line 12.

Strike: "accessible" on line 11 through "grade" on line 12

Insert: "mining of the ore body identified in the permit or a permit amendment application is not complete"

7. Page 3, line 23 through line 24.

Strike: "for a set period" on line 23 through "period" on line 24

Insert: "up to 6 months if a potential successor operator is exercising reasonable diligence to

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

complete the transfer. The department may also grant reasonable extensions of the suspension if extensions are necessary by reason of litigation precluding the transfer"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Mandeville, Chair):

3/28/2019

HB 776, do pass. Report adopted.

SB 101, be concurred in. Report adopted.

SB 115, be concurred in. Report adopted.

SB 116, be amended as follows:

1. Page 3, line 10.

Following: "PROVIDE"

Insert: "to the elector or agent"

2. Page 3, line 11.

Strike: "DESIGNATED"

Following: "OFFICE"

Insert: "."

Strike: "AND, IF"

Insert: "If the election office determines that the"

3. Page 3, line 12.

Following: "ACRES,"

Insert: "the elector or agent may"

Strike: "FROM THE ELECTION OFFICE"

Insert: "and cast the votes for those acres"

And, as amended, be concurred in. Report adopted.

SB 124, be concurred in. Report adopted.

SB 130, be concurred in. Report adopted.

SB 134, be amended as follows:

1. Page 2, line 18.

Strike: "CONTRACTED"

Insert: "intended"

2. Page 4, line 25.

Strike: "CONTRACTED"

Insert: "intended"

And, as amended, be concurred in. Report adopted.

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

SB 148, be concurred in. Report adopted.

SB 150, be concurred in. Report adopted.

TRANSPORTATION (Loge, Chair):

3/27/2019

HB 748, do pass. Report adopted.

SB 268, be amended as follows:

1. Page 1, line 20 through line 21.

Strike: "The signs" on line 20 through "serve"" on line 21

2. Page 1, line 23.

Strike: "."

3. Page 1, line 25.

Strike: "EARNED"

Insert: "received"

4. Page 1, line 26.

Following: "MONTANANS ARE"

Insert: "Travis Atkins,"

And, as amended, be concurred in. Report adopted.

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 205**
Report No. 001, March 27, 2019

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 205** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 205** (reference copy -- salmon) be amended as follows:

1. Page 1, line 29.

Following: "is"

Strike: "NOT"

Following: "not"

Insert: "not"

For the Senate:

Fielder, Chair

Flowers

For the House:

Shaw, Vice Chair

Perry

Buttrey

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

FIRST READING AND COMMITMENT OF BILLS

The following House resolution was introduced, read first time, and referred to committee:

HR 3, introduced by B. Bessette, referred to Human Services.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Tschida moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Berglee in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 4 - Representative Bartel moved **HB 4** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: DeVries, Doane, Garcia, Glimm, Mandeville, Manzella, Skees, Usher, White.

Total 9

Voted absentee: Karjala, Mortensen, Runningwolf, Aye.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Noland.

Total 1

HB 52 - Representative Keane moved **HB 52** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Garcia, Garner, Greef, Grubbs, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Krotkov, Lynch, Marler, McKamey, Mercer, Moore E, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Weatherwax, Welch, Windy Boy, Winter, Woods.

Total 68

Nays: Brown B, Burnett, DeVries, Doane, Dunn, Duram, Fuller, Galloway, Galt, Glimm, Gunderson, Hamilton, Knudsen C, Knudsen R, Lenz, Loge, Mandeville, Manzella, Moore T, Mortensen, Noland, Redfield, Regier, Ricci, Skees, Tschida, Vinton, Webb, White, Zolnikov, Mr. Speaker.

Total 31

Voted absentee: Karjala, Runningwolf, Aye; Mortensen, No.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Dudik.

Total 1

HB 130 - Representative Fuller moved **HB 130** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Beard, Bedey, Berglee, Brown B, Burnett, Curdy, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Lynch, Mandeville, Manzella, McKamey, Moore E, Moore T, Mortensen, Noland, Peppers, Pierson, Read, Redfield, Regier, Ricci, Sales, Schreiner, Shaw, Skees, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 66

Nays: Abbott, Bachmeier, Bahr, Bartel, Bessette, Bishop, Brown Z, Buttrey, Caferro, Dudik, Dunwell, Farris-Olsen, Fern, Hamilton, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Krotkov, Marler, Mercer, Morigeau, Olsen, Perry, Pope, Runningwolf, Ryan, Smith, Stewart Peregoy, Sullivan, Windy Boy, Winter, Woods.

Total 34

Voted absentee: Mortensen, Aye; Karjala, Runningwolf, No.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

HB 158 - Senate Amendments - Representative Peppers moved Senate amendments to **HB 158** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Bessette, Bishop, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Weatherwax, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.
Total 87

Nays: Beard, Berglee, Brown B, DeVries, Galloway, Garcia, Glimm, Knudsen C, Manzella, Noland, Vinton, Webb, White.
Total 13

Voted absentee: Karjala, Mortensen, Runningwolf, Aye.

Excused: Karjala, Mortensen, Runningwolf.
Total 3

Absent or not voting: None.
Total 0

HB 192 - Senate Amendments - Representative Ryan moved Senate amendments to **HB 192** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Berglee, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Funk, Galt, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Moore T, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods.
Total 76

Nays: Bartel, Beard, Brown B, Burnett, DeVries, Doane, Dunn, Fleming, Fuller, Galloway, Glimm, Gunderson, Knudsen C, Knudsen R, Mercer, Noland, Regier, Skees, Tschida, Usher, White, Zolnikov, Mr. Speaker.
Total 23

Voted absentee: Karjala, Mortensen, Runningwolf, Aye.

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Moore E.

Total 1

HB 268 - Senate Amendments - Representative Greef moved Senate amendments to **HB 268** be concurred in. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Bishop, Brown Z, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garner, Greef, Grubbs, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Krautter, Krotkov, Lenz, Loge, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Mortensen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Shaw, Skees, Sullivan, Tschida, Vinton, Webb, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 71

Nays: Abbott, Bachmeier, Bahr, Bessette, Brown B, Caferro, Curdy, Dunwell, Garcia, Glimm, Gunderson, Hamilton, Karjala, Kerr-Carpenter, Knudsen C, Knudsen R, Lynch, Marler, Morigeau, Noland, Olsen, Schreiner, Smith, Stewart Peregoy, Sweeney, Weatherwax, White, Winter.

Total 28

Voted absentee: Mortensen, Runningwolf, Aye; Karjala, No.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Usher.

Total 1

HB 305 - Senate Amendments - Representative Winter moved Senate amendments to **HB 305** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dudik, Dunwell, Duram, Fern, Fitzgerald, Fleming, Fuller, Funk, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Loge, Lynch, Marler, McKamey, Mercer, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Sullivan, Sweeney, Usher, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods.

Total 63

Nays: Bartel, Beard, Bedey, Berglee, Bessette, Brown B, Burnett, DeVries, Doane, Dooling, Dunn, Galloway, Galt, Glimm, Gunderson, Jones, Kassmier, Knudsen C, Knudsen R, Lenz,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Mandeville, Manzella, Moore E, Moore T, Mortensen, Noland, Redfield, Regier, Ricci, Skees, Stewart Peregoy, Tschida, Vinton, White, Zolnikov, Mr. Speaker.
Total 36

Voted absentee: Karjala, Runningwolf, Aye; Mortensen, No.

Excused: Karjala, Mortensen, Runningwolf.
Total 3

Absent or not voting: Farris-Olsen.
Total 1

HB 661 - Representative Custer moved **HB 661** do pass.

HB 661 - Representative Fern moved **HB 661**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

Strike: "REDUCING"

Insert: "REVISING"

2. Page 1, line 23 through line 24.

Strike: "With" on line 23 through "17-7-502, and" on line 24

Insert: "Money in the account is statutorily appropriated, as provided in 17-7-502, and, after refunds are provided pursuant to 15-70-425(6) and with the approval of the board,"

3. Page 2, line 24.

Strike: "6.5"

Insert: "6"

4. Page 5, line 12.

Strike: "A"

Insert: "Except as provided in subsection (6), a"

5. Page 6, line 9 through line 10.

Strike: ";
(A) 2"

Insert: "3"

6. Page 6, line 10.

Strike: "PRIOR TO JULY 1, 2021,"

7. Page 6, line 11.

Following: "PAID."

Insert: "The refund must be paid from the account established in [section 2]."

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

8. Page 6, line 12 through line 13.

Strike: subsection (B) in its entirety

9. Page 6, line 26.

Following: "carrier"

Insert: "or aviation fuel purchased by a certified scheduled passenger air carrier"

10. Page 10, line 26.

Following: "made,"

Insert: ", except fuel for which refunds have been made,"

11. Page 11, line 15.

Strike: "4.5"

Insert: "4"

12. Page 12, line 1.

Strike: "The"

Insert: "Except as provided in 15-70-425, the"

13. Page 12, line 22.

Strike: "70%"

Insert: "75%"

14. Page 12, line 24.

Strike: "30%"

Insert: "25%"

Amendment **not** adopted as follows:

Yeas: Berglee, Brown B, DeVries, Doane, Dunn, Duram, Fern, Galloway, Galt, Glimm, Gunderson, Hamilton, Hamlett, Kassmier, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Mandeville, Manzella, Mercer, Mortensen, Noland, Peppers, Perry, Redfield, Regier, Ricci, Skees, Tschida, Usher, Vinton, Webb, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 38

Nays: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Bessette, Bishop, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Farris-Olsen, Fitzgerald, Fleming, Fuller, Funk, Garcia, Garner, Greef, Grubbs, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Krautter, Krotkov, Loge, Lynch, Marler, McKamey, Moore E, Moore T, Morigeau, Olsen, Pierson, Pope, Read, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Winter.
Total 62

Voted absentee: Mortensen, Aye; Karjala, Runningwolf, No.

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: None.

Total 0

HB 661 - Representative Custer moved **HB 661** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Loge, Lynch, Mandeville, Marler, McKamey, Moore E, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Winter, Woods.

Total 71

Nays: Berglee, Brown B, Burnett, DeVries, Doane, Dunn, Fuller, Galloway, Galt, Glimm, Gunderson, Knudsen C, Knudsen R, Lenz, Manzella, Mercer, Moore T, Mortensen, Noland, Redfield, Regier, Skees, Tschida, Usher, Vinton, Webb, White, Zolnikov, Mr. Speaker.

Total 29

Voted absentee: Karjala, Runningwolf, Aye; Mortensen, No.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: None.

Total 0

HB 515 - Representative Usher moved **HB 515** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Bishop, Brown B, Burnett, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Winter, Mr. Speaker.

Total 84

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Nays: Abbott, Bachmeier, Bahr, Bessette, Brown Z, DeVries, Doane, Hamilton, Knudsen C, Knudsen R, Olsen, Peppers, Stewart Peregoy, Windy Boy, Woods, Zolnikov.
Total 16

Voted absentee: Karjala, Mortensen, Runningwolf, Aye.

Excused: Karjala, Mortensen, Runningwolf.
Total 3

Absent or not voting: None.
Total 0

HB 613 - Representative Vinton moved **HB 613** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bartel, Beard, Bedey, Berglee, Bishop, Brown B, Brown Z, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Fern, Fitzgerald, Fuller, Funk, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harvey, Hayman, Hopkins, Karjala, Kassmier, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, McKamey, Mercer, Moore T, Morigeau, Mortensen, Perry, Pope, Read, Redfield, Regier, Ricci, Skees, Sullivan, Tschida, Usher, Vinton, Webb, Welch, White, Woods, Zolnikov, Mr. Speaker.
Total 67

Nays: Bahr, Ballance, Bessette, Burnett, Buttrey, Caferro, Curdy, Farris-Olsen, Fleming, Galloway, Garcia, Hamilton, Hamlett, Holmlund, Jones, Keane, Marler, Moore E, Noland, Olsen, Peppers, Pierson, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sweeney, Weatherwax, Windy Boy, Winter.
Total 33

Voted absentee: Karjala, Mortensen, Aye; Runningwolf, No.

Excused: Karjala, Mortensen, Runningwolf.
Total 3

Absent or not voting: None.
Total 0

HB 616 - Representative Hopkins moved **HB 616** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Holmlund, Hopkins, Jones, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Loge, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Peppers, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Smith, Tschida, Usher, Vinton, Webb, Welch, Zolnikov, Mr. Speaker.

Total 56

Nays: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown B, Brown Z, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Garcia, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Lynch, Marler, Morigeau, Olsen, Perry, Pierson, Pope, Runningwolf, Ryan, Schreiner, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, White, Windy Boy, Winter, Woods.

Total 44

Voted absentee: Mortensen, Aye; Karjala, Runningwolf, No.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: None.

Total 0

HB 644 - Representative Galt moved **HB 644** do pass. Motion carried as follows:

Yeas: Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Gunderson, Holmlund, Hopkins, Jones, Kassmier, Knudsen C, Knudsen R, Lenz, Loge, Mandeville, Manzella, McKamey, Moore E, Mortensen, Noland, Pierson, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Tschida, Usher, Vinton, Webb, White, Zolnikov, Mr. Speaker.

Total 53

Nays: Abbott, Anderson, Bachmeier, Bessette, Bishop, Brown Z, Caferro, Curdy, Custer, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lynch, Marler, Mercer, Moore T, Morigeau, Olsen, Peppers, Perry, Pope, Runningwolf, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Winter, Woods.

Total 47

Voted absentee: Mortensen, Aye; Karjala, Runningwolf, No.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

HB 715 - Representative Jones moved **HB 715** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Ballance, Beard, Bedey, Bessette, Bishop, Burnett, Buttrey, Custer, Dooling, Dudik, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garner, Greef, Grubbs, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Knudsen C, Krautter, Lenz, Loge, Lynch, Mandeville, Marler, McKamey, Mercer, Moore E, Moore T, Mortensen, Pierson, Pope, Read, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Sweeney, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Mr. Speaker.

Total 59

Nays: Bachmeier, Bahr, Bartel, Berglee, Brown B, Caferro, Curdy, DeVries, Doane, Dunn, Dunwell, Duram, Galloway, Garcia, Glimm, Gunderson, Hamilton, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Krotkov, Manzella, Morigeau, Noland, Olsen, Peppers, Perry, Redfield, Runningwolf, Skees, Stewart Peregoy, Sullivan, Tschida, Usher, White, Woods, Zolnikov.

Total 40

Voted absentee: Mortensen, Aye; Karjala, Runningwolf, No.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Brown Z.

Total 1

HB 717 - Representative Weatherwax moved **HB 717** do pass.

HB 717 - Representative Morigeau moved **HB 717**, second reading copy, be amended as follows:

1. Page 1, line 12.

Strike: line 12

Insert: "served in crucial roles for the raising of the two U.S. flags on Mount Suribachi during the Battle of Iwo Jima; and"

2. Page 1, line 18.

Following: line 18

Insert: "WHEREAS, Louis Charles Charlo ascended Mount Suribachi with three fellow Marines on the morning of February 23, 1945, to conduct route reconnaissance and determine enemy disposition on the summit prior to the first flag raising; and

WHEREAS, it is traditionally known that Louis Charles Charlo participated in the raising of the first U.S. flag, which came from aboard U.S.S. Missoula, on Mount Suribachi; and

WHEREAS, Louis Charles Charlo provided security on the summit of Mount Suribachi for the raising of the second U.S. flag, immortalized by Associated Press photographer Joseph Rosenthal; and"

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

3. Page 1, line 23.

Strike: line 23

Insert: "WHEREAS, Louis Charles Charlo earned the Presidential Unit Citation Ribbon with one bronze star, the Asiatic-Pacific Campaign Ribbon with one bronze star, the World War II Victory Medal, and the Purple Heart; and"

4. Page 1, lines 26 and 27.

Strike: lines 26 and 27

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted absentee: Karjala, Mortensen, Runningwolf, Aye.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Garcia.

Total 1

HB 717 - Representative Weatherwax moved **HB 717**, as amended, do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Caferro, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy,
Winter, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Burnett, DeVries, Knudsen R.
Total 3

Voted absentee: Karjala, Mortensen, Runningwolf, Aye.

Excused: Karjala, Mortensen, Runningwolf.
Total 3

Absent or not voting: Curdy.
Total 1

HB 719 - Representative Dudik moved **HB 719** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Berglee, Bessette, Bishop,
Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunwell, Duram,
Farris-Olsen, Fern, Fleming, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Gunderson,
Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane,
Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville,
Manzella, Marler, McKamey, Mercer, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry,
Pierson, Pope, Read, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith,
Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch,
White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.
Total 87

Nays: Beard, Burnett, DeVries, Dunn, Fitzgerald, Fuller, Knudsen R, Moore E, Moore T,
Redfield, Regier, Ricci.
Total 12

Voted absentee: Karjala, Mortensen, Runningwolf, Aye.

Excused: Karjala, Mortensen, Runningwolf.
Total 3

Absent or not voting: Grubbs.
Total 1

HB 732 - Representative Schreiner moved **HB 732** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Bedey, Bessette, Bishop, Brown Z, Buttrey, Caferro,
Curdy, Custer, Dooling, Dudik, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fuller, Funk, Garcia,
Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Loge, Lynch, Marler, McKamey, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Winter, Woods, Zolnikov.

Total 64

Nays: Bartel, Beard, Berglee, Brown B, Burnett, DeVries, Doane, Dunn, Duram, Fleming, Galloway, Galt, Glimm, Gunderson, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Mandeville, Manzella, Mercer, Moore E, Moore T, Mortensen, Noland, Redfield, Regier, Skees, Tschida, Usher, Vinton, Webb, White, Mr. Speaker.

Total 35

Voted absentee: Karjala, Runningwolf, Aye; Mortensen, No.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Ballance.

Total 1

HB 756 - Representative B. Smith moved **HB 756** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krotkov, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Winter, Woods, Zolnikov.

Total 81

Nays: Beard, Burnett, DeVries, Duram, Glimm, Gunderson, Hopkins, Knudsen R, Krautter, Lenz, Noland, Redfield, Skees, Tschida, Usher, Vinton, Webb, White, Mr. Speaker.

Total 19

Voted absentee: Karjala, Mortensen, Runningwolf, Aye.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

SB 275 - Representative McKamey moved **SB 275** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Berglee, Bishop, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harvey, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Beard, Bessette, Burnett, Farris-Olsen, Hamilton, Hayman, Keogh, Kerr-Carpenter, Peppers.

Total 9

Voted absentee: Karjala, Mortensen, Runningwolf, Aye.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Olsen.

Total 1

SB 288 - Representative Burnett moved **SB 288** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted absentee: Karjala, Mortensen, Runningwolf, Aye.

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: None.

Total 0

HB 268 - Majority Leader Tschida made a motion that **HB 268** be segregated from the Committee of the Whole report. Without objection, so ordered.

Majority Leader Tschida moved the Committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Berglee moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Garner, Lynch.

Total 2

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 144 passed as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Garner, Glimm,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Greef, Gunderson, Holmlund, Hopkins, Jones, Kassmier, Knudsen R, Krautter, Lenz, Loge, McKamey, Mercer, Moore E, Moore T, Noland, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Tschida, Usher, Vinton, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 51

Nays: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Galt, Garcia, Grubbs, Hamilton, Hamlett, Harvey, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krotkov, Lynch, Mandeville, Manzella, Marler, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter, Woods.

Total 45

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 280 passed as follows:

Yeas: Anderson, Bachmeier, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Brown Z, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fern, Fitzgerald, Fleming, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Noland, Peppers, Perry, Pierson, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 70

Nays: Abbott, Bahr, Bessette, Bishop, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fuller, Funk, Kelker, Keogh, Kerr-Carpenter, Marler, Morigeau, Olsen, Pope, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Windy Boy, Winter, Woods.

Total 26

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

HB 400 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Bessette, Bishop, Brown Z, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Farris-Olsen, Fern, Fleming, Funk, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hopkins, Jones, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Lynch, Marler, Moore T, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Welch, Windy Boy, Winter, Woods.

Total 55

Nays: Bartel, Beard, Berglee, Brown B, Burnett, Buttrey, DeVries, Doane, Dunn, Duram, Fitzgerald, Fuller, Galloway, Galt, Glimm, Gunderson, Holmlund, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, McKamey, Mercer, Moore E, Noland, Redfield, Regier, Ricci, Skees, Tschida, Usher, Vinton, Weatherwax, Webb, White, Zolnikov, Mr. Speaker.

Total 41

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 431 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Berglee, Bessette, Bishop, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Funk, Galt, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lenz, Loge, Lynch, Marler, Mercer, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Weatherwax, Welch, White, Windy Boy, Winter, Woods.

Total 71

Nays: Bartel, Beard, Brown B, DeVries, Doane, Dooling, Dunn, Fleming, Fuller, Galloway, Glimm, Knudsen C, Knudsen R, Mandeville, Manzella, McKamey, Moore E, Moore T, Noland, Regier, Skees, Vinton, Webb, Zolnikov, Mr. Speaker.

Total 25

Voted absentee: None.

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 597 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Hamilton, Hamlett, Holmlund, Hopkins, Jones, Kassmier, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Lenz, Loge, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: DeVries, Funk, Garcia, Gunderson, Harvey, Keane, Knudsen R, Lynch, Mandeville, Schreiner, White.

Total 11

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 111 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Garcia, Garner, Glimm, Greef, Grubbs, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Loge, Lynch, Marler, Mercer, Moore E, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Ricci, Ryan, Sales, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Winter.

Total 62

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Nays: Bartel, Beard, Berglee, Brown B, Burnett, DeVries, Doane, Dooling, Dunn, Galloway, Galt, Gunderson, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Mandeville, Manzella, McKamey, Moore T, Read, Redfield, Regier, Schreiner, Skees, Tschida, Usher, Vinton, Webb, White, Woods, Zolnikov, Mr. Speaker.

Total 34

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 327 passed as follows:

Yeas: Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Brown Z, Buttrey, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Hamlett, Holmlund, Hopkins, Jones, Kassmier, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Noland, Olsen, Pierson, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Winter, Zolnikov, Mr. Speaker.

Total 75

Nays: Abbott, Bessette, Bishop, Burnett, Caferro, Farris-Olsen, Gunderson, Hamilton, Harvey, Keane, Kelker, Krotkov, Lynch, Morigeau, Peppers, Perry, Pope, Ryan, Schreiner, Windy Boy, Woods.

Total 21

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 385 passed as follows:

Yeas: Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dunn, Duram, Farris-Olsen, Fern, Fitzgerald, Fuller, Funk, Galt, Garcia, Glimm, Grubbs, Hamilton, Harvey, Holmlund, Hopkins, Jones, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Loge, Mandeville, Manzella,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

McKamey, Moore E, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Shaw, Skees, Stewart Peregoy, Sullivan, Tschida, Usher, Vinton, Weatherwax, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 66

Nays: Abbott, Anderson, Bessette, Bishop, Burnett, Dudik, Dunwell, Fleming, Galloway, Garner, Greef, Gunderson, Hamlett, Kassmier, Keane, Krotkov, Lenz, Lynch, Marler, Mercer, Moore T, Noland, Ricci, Ryan, Sales, Schreiner, Smith, Sweeney, Webb, Welch.

Total 30

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 475 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fleming, Fuller, Funk, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Loge, Lynch, Manzella, Marler, McKamey, Moore E, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Burnett, Fitzgerald, Galloway, Krotkov, Lenz, Mandeville, Mercer, Moore T, Smith.

Total 9

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

HB 477 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Berglee, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Holmlund, Jones, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Loge, Lynch, Marler, Moore T, Morigeau, Olsen, Perry, Pierson, Pope, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Welch, Windy Boy, Winter, Woods.

Total 61

Nays: Bartel, Beard, Brown B, Burnett, DeVries, Doane, Dunn, Duram, Fuller, Galloway, Galt, Glimm, Gunderson, Hopkins, Kassmier, Knudsen C, Knudsen R, Lenz, Mandeville, Manzella, McKamey, Mercer, Moore E, Noland, Peppers, Read, Redfield, Regier, Ricci, Skees, Tschida, Webb, White, Zolnikov, Mr. Speaker.

Total 35

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 630 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dudik, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krotkov, Loge, Lynch, Mandeville, Marler, Moore E, Morigeau, Perry, Pierson, Pope, Read, Regier, Ryan, Sales, Schreiner, Shaw, Stewart Peregoy, Sullivan, Sweeney, Usher, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Zolnikov.

Total 65

Nays: Brown B, Burnett, DeVries, Doane, Dooling, Dunn, Dunwell, Duram, Galloway, Garcia, Glimm, Gunderson, Kassmier, Knudsen R, Krautter, Lenz, Manzella, McKamey, Mercer, Moore T, Noland, Olsen, Peppers, Redfield, Ricci, Skees, Smith, Tschida, Vinton, White, Mr. Speaker.

Total 31

Voted absentee: None.

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 636 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Berglee, DeVries, Dunn, Galloway, Gunderson, Knudsen C, Knudsen R, Regier, Skees, Tschida, White.

Total 11

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 645 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Berglee, Bessette, Bishop, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Loge, Lynch, Mandeville, Manzella, Marler, Moore T, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Winter, Woods, Zolnikov.

Total 69

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Nays: Bartel, Beard, Brown B, DeVries, Doane, Dooling, Fuller, Galloway, Galt, Glimm, Gunderson, Kassmier, Knudsen C, Knudsen R, Lenz, McKamey, Mercer, Moore E, Noland, Redfield, Regier, Tschida, Usher, Vinton, Webb, White, Mr. Speaker.

Total 27

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 712 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown Z, Burnett, Buttrey, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Ricci, Ryan, Sales, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Brown B, Caferro, DeVries, Garcia, Gunderson, Mandeville, Redfield, Schreiner, White.

Total 9

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 713 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Bessette, Bishop, Brown Z, Burnett, Buttrey, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Ricci, Ryan,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Sales, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Mr. Speaker.

Total 79

Nays: Beard, Berglee, Brown B, Caferro, DeVries, Galloway, Garcia, Glimm, Gunderson, Mandeville, Manzella, Noland, Redfield, Schreiner, Tschida, White, Zolnikov.

Total 17

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 714 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Bessette, Bishop, Brown Z, Burnett, Buttrey, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Ricci, Ryan, Sales, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 80

Nays: Beard, Berglee, Brown B, Caferro, DeVries, Galloway, Garcia, Glimm, Gunderson, Mandeville, Manzella, Noland, Redfield, Schreiner, Usher, White.

Total 16

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.

Total 3

Absent or not voting: Hayman.

Total 1

HB 716 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Burnett, Buttrey, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Greef, Grubbs, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Loge, Mandeville, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.
Total 87

Nays: Brown B, Brown Z, Caferro, DeVries, Gunderson, Lenz, Lynch, Manzella, Redfield.
Total 9

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.
Total 3

Absent or not voting: Hayman.
Total 1

MOTIONS

Majority Leader Tschida moved **HB 130** be moved to the Appropriations Committee. Without objections, so ordered.

Majority Leader Tschida moved **HB 661** be moved to the Appropriations Committee. Without objections, so ordered.

Representative Z. Brown moved **HB 760** be moved from the Natural Resources Committee to the Appropriations Committee.

Motion **failed** as follows:

Yeas: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Hamilton, Hamlett, Harvey, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Loge, Lynch, Marler, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Ryan, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Winter, Woods.
Total 43

Nays: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Holmlund, Hopkins, Jones, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Noland, Redfield, Regier, Ricci, Sales, Skees, Tschida, Usher, Vinton, Webb, White, Zolnikov, Mr. Speaker.
Total 53

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.
Total 3

Absent or not voting: Hayman.
Total 1

Representative Windy Boy moved that **HB 135** be taken from the Education Committee and brought before the Committee of the Whole on the 65th Legislative Day.

Motion **failed** as follows:

Yeas: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Hamilton, Hamlett, Harvey, Hopkins, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Lynch, Mandeville, Marler, McKamey, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Ryan, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter, Woods, Zolnikov.
Total 46

Nays: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Holmlund, Jones, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Manzella, Mercer, Moore E, Moore T, Noland, Redfield, Regier, Ricci, Sales, Skees, Tschida, Usher, Vinton, Webb, Welch, White, Mr. Speaker.
Total 50

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.
Total 3

Absent or not voting: Hayman.
Total 1

Representative Dunwell moved that **HB 651** be taken from the Taxation Committee and brought before the Committee of the Whole on the 65th Legislative Day.

Motion **failed** as follows:

Yeas: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Garcia, Hamilton, Hamlett, Harvey, Keane, Kelker, Keogh,

Kerr-Carpenter, Krotkov, Lynch, Marler, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter,

HOUSE JOURNAL
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 28, 2019

Woods.
Total 40

Nays: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Holmlund, Hopkins, Jones, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Noland, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Tschida, Usher, Vinton, Webb, Welch, White, Zolnikov, Mr. Speaker.
Total 56

Voted absentee: None.

Excused: Karjala, Mortensen, Runningwolf.
Total 3

Absent or not voting: Hayman.
Total 1

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 763**.
Motion carried.

HB 763 (R. Lynch, Chief Sponsor)
K. Dudik.

ANNOUNCEMENTS

Representative Skees rose on a **Point of Parliamentary Procedure** to cite H20-10(2), procedure for addressing the House.

Committee meetings were announced by the committee chairs.

Majority Leader Tschida moved the House adjourn until 8:00 a.m., Friday, March 29, 2019. Motion carried.

House adjourned at 3:20 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

GREG HERTZ
Speaker of the House